



Officer Report

Application Number:	HGY/2024/2521
Application Type:	Full planning permission
Address:	The Hornsey Club, Tivoli Road, Hornsey, London, N8 8RG
Proposal:	The installation of a temporary and de-mountable sauna for a three year period.
Case Officer:	Adam Silverwood
Valid Date:	17/09/2024
Applicant:	Mr Jim Chapman
Agent:	Mr Luke Dewey

RECOMMENDATION

Refuse

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This application seeks temporary permission for the erection of two demountable saunas with associated reception building for a temporary period of three years.

Site and Surroundings

The application site is located at the end of Tivoli Road. The area is primarily residential in character, although additionally includes the Hornsea Cricket Club. There is a large area of open space to the immediate north and east of the site that serves the cricket club. The application site is bounded to its south by residential dwellings and is primarily accessed by Tivoli Road.

Relevant Planning and Enforcement history

There is no planning history relevant to this site.

2. LOCAL REPRESENTATIONS

The application has been publicised by way of a site notice displayed in the vicinity of the site, a notice placed in the local press, and letters sent to neighbouring properties. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

No of individual responses: 85

Objecting: 31

Supporting: 54

The responses in objection considered that the development would cause:

- Inappropriate use of 'Metropolitan Open Land'
- Noise impact on adjacent properties
- Parking impact and trip generation

- Too long for a temporary permission
- Anti-Social behaviour

The responses in support considered that the development would provide:

- Community integration and cohesion
- Public health benefits
- Social benefits

3. POLICIES RELEVANT TO THE ASSESSMENT OF THIS APPLICATION

NPPF (2023)

- Paragraph 103
- Paragraph 154

Planning Practice Guidance

- Paragraph 14

London Plan (2021)

- GC2: Making the Best Use of Land
- G3: Metropolitan Open Land
- G4: Open Space
- S4: Play and Informal Recreation
- S5: Sports and recreation Facilities
- T4: Assessing the mitigating Transport Impacts
- T6: Car parking

Haringey Local Plan 2013 - 2026

- SP11: Design
- SP12: Conservation
- SP13: Open Space and Bio-Diversity
- SP15: Culture and Leisure

Haringey Development Management Document (2017)

- DM1: Delivering High Quality Design
- DM9: Management of the Historic Environment
- DM20: Open Space and Green Grid
- DM31: Sustainable Transport
- DM32: Parking

4. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

- 1 - Principle of the development;
- 2 - Design and impact of the proposed development on the character and appearance of the conservation area;
- 3 - Impact on the amenity of adjoining occupiers;
- 4 - Impact upon the Highways Network

Principle of the development

Policy G3 of the London Plan 'Metropolitan Open Land' (2021) states that 'Metropolitan Open Land is afforded the same level of protection as the Green belt' and that 'MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the green

belt.' The policy further states that MOL 'protects and enhances the open environment and improves Londoners' quality of life by providing localities which offer sporting and leisure use, heritage value, biodiversity, food growing and health benefits through encouraging walking, running and other physical activity'.

Within paragraph 154 (b) of the National Planning Policy Framework (2023), it is stated that 'A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are b) the provision of appropriate facilities (in connection with the use of land or a change of use) for outdoor sport, outdoor recreation cemeteries and burial grounds and allotments as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of the land within it. In accordance with Policy G3 of the London Plan, this is considered to apply to planning determinations within Metropolitan Open Land.

Paragraph 103 further states that 'existing open space, sports and recreational buildings and land, including playing fields, should not be built upon unless 'a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements', or 'c) the development is for alternative sports and recreational provision, and the benefits clearly outweigh the loss of the current or former use'.

Haringey's Development Management Development Document Policy DM20 states that 'new development shall protect and improve Haringey's parks and open spaces. All new development shall: protect and enhance, and where possible, extend the existing boundaries of the boroughs green belt, designated Metropolitan Open Land and other open spaces from inappropriate development'.

With regard to Section 72 of the Town and Country Planning Act 1990 and Planning Policy Guidance Paragraph 14, it is stated that a local planning authority may grant temporary period only and that 'circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where it is expected that planning circumstances will change in a particular way at the end of that period'. It is further stated that 'it will rarely be justified to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale, such as temporary classrooms and other school facilities). Further permissions can normally be granted permanently or refused if there is a clear reason for doing so, and there is no presumption that a temporary grant of planning permission will be granted permanently'.

The proposed development seeks to install two sauna buildings in the north eastern corner of the site with an associated reception located at the south western corner. There are associated 'baths' located at the western edge. The applicants have provided supplementary information that the land is unusable for sporting purposes. And that the sauna would further support the operations of the adjacent cricket club as well as the wider community.

It is considered that the proposed use does not meet the necessary exceptions as stipulated within paragraph 103 of the NPPF (2023) and policies DM of the Haringey Local Plan and the London Plan. While it is considered that the proposed would provide alternative leisure opportunities on the site, the construction of the sauna buildings are considered to fall within the remit of 'inappropriate development that would affect the openness of the Metropolitan Open Land', further to this the development has not fully evidenced, through the submission of an assessment, that the land is surplus to requirement. Therefore this application is not considered to satisfy the test as dictated within the NPPF and therefore is not considered to be acceptable in principle.

Impact on the character and appearance of the conservation area

The proposed development seeks to retain for a temporary period (until from the date of the decision notice) the erection of two demountable saunas with associated reception building.

Representations have been received by adjoining occupiers that consider that the provision of saunas on this site would generate a negative impact upon residential amenity. The representations consider that the noise generated from the proposed use would be detrimental to the enjoyment of their own homes and contribute to anti-social behaviour.

The proposed works are considered to not be significantly detrimental to the character and appearance of the conservation area. The surrounding area, while open, is not of great amenity value, the proposed site is located at the end of Tivoli Road and would not be widely seen by passers-by and is not considered to have an undue impact upon the street scene or character of the area more generally.

Impact on the amenity of adjoining occupiers

Representations have been received by adjoining occupiers that consider that the operation of a sauna at this site would generate a greater negative impact upon residential amenity than previously existing, due to anti-social behaviour and potential noise impact.

The proposed application has not provided details on expected occupancy or trip generation as part of the submission documents. While it is considered that the proposed use would not have a significant impact on neighbouring amenity, it is considered that any minor increase in noise from traffic or use would be significantly greater than the current use of the site without reasoned justification for this use within Metropolitan Open Land and is therefore considered to be, at present, unacceptable in this regard. Were this application acceptable in principle, conditions or other mitigation against the impact of noise from the proposed use would be sought.

Impact upon the Highways Network

Policy T4 of the London Plan (Assessing the mitigating Transport Impacts), states that 'development plans and development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity.

Policy T6 (Car Parking) states that 'car parking should be in line with the levels of existing and future public transport accessibility and connectivity.' It further states that 'car free development should be the starting point for all development, proposals in places that are (or planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Car free development has no general parking but should still provide disabled persons parking in line with part E of this policy'.

Part L of Policy T6 states that 'where sites are re-developed, parking provision should reflect the current approach and not be re-provided at previous levels where this exceeds the standards set out in this policy'.

Policy DM31 (Sustainable Transport) of the Haringey Development Management Document states that 'the council will require that developments with high trip generating characteristics locate where public transport accessibility is high and car parking is minimised to mitigate generated car travel'. It further states that 'the council will require the submission of a Travel Plan and a transport assessment/ statement in support of development proposals in accordance with the Transport for London thresholds'.

Policy DM32 (Parking) states that 'development proposals will be assessed against the car parking and cycle parking standards set out in the London Plan' and further states that 'the council will

support proposals for new development with limited or no on-site parking where: a) there are alternative and accessible means of transport available, b) public transport accessibility is at least 4 as defined in the public transport accessibility index, c) a controlled CPZ exists or will be provided prior to the occupation of development, d) parking is provided for disabled people'.

There is no evidence provided by the applicants which indicates specified parking, expected trip generation or proposed cycle parking. While Officers consider, at this time, that the proposed application would be unlikely to generate a significant amount of traffic through either sustainable or non-sustainable means the impact has not been sufficiently evidenced during application stage in order to allow for a positive decision in this regard.

Were this application acceptable in other matters, conditions requiring the temporary provision of cycle parking and marking out of appropriate parking would be imposed upon this development.

Conclusion

Metropolitan Open Land is considered to be of significant value and subject to the same protections as Green Belt land, in accordance with the London Plan (2021). While it is appreciated that the land itself is not in active use and would provide some community benefits, it is considered by Officers to not have appropriately evidenced that this would outweigh the detriment to the 'openness' of the surrounding area.

The proposed development considered to be an unacceptable use of Metropolitan Open Land, for which no suitable justification has been provided and in accordance with paragraphs 103 and 154 of the National Planning Policy Framework (2023), Policy G3 of the London Plan (2021) and Policy DM20 of the Haringey DMD (2017) is therefore recommended for refusal.

5. RECOMMENDATION

REFUSE PERMISSION: For the following reason:

1. The proposed development is considered to be an unacceptable use of Metropolitan Open Land, for which no suitable justification has been provided and as such is contrary to paragraphs 103 and 154 of the National Planning Policy Framework (2023), Policy G3 of the London Plan (2021) and Policy DM20 of the Haringey DMD (2017).